

REMARKS

I. Preliminary Matters

Claims 3-33 are pending in the application.

Claims 3 and 24 are amended to delete the phrase “an inert gas atmosphere”.

Claims 28 and 29 are amended to delete the word “predetermined”.

No new matter is added.

Entry of the Amendment is respectfully requested.

Applicants note that the Examiner has not acknowledged acceptance of the Drawings.

Applicants respectfully request that the Examiner acknowledge acceptance with the next Office communication.

II. Allowable Subject Matter

Applicants thank the Examiner for allowance of claims 12-19.

Applicants respectfully submit that the objection to claims 21-23, 26-27, 30 and 32, as being dependent on rejected base claims, is moot in view of the arguments below. Therefore, claims 21-23, 26-27, 30 and 32 are also in condition for allowance.

III. Response to Objections to the Specification

The Examiner recommends insertion of the following phrase at the beginning of the Specification: “This application is a 371 of PCT/JP04/10301 07/20/2004.”

Appropriate amendment has been made to the Specification, thereby obviating the objection to the specification.

Applicants therefore, respectfully request reconsideration and withdrawal of the objection.

IV. Response to Claim Objections

Claims 31 and 33 are objected to as being in improper form because the claims are dependent from multiple dependent claims.

In a Preliminary Amendment, submitted on January 17, 2006, claims 26-29 were amended to singularly depend from claims 10, 19, 26 and 27, respectively. In the Preliminary Amendment, claims 10 and 19 were also amended to singularly depend from claims 7 and 16, respectively.

Amended claims 7 and 16 depend from claims 3 and 12, respectively. Therefore, the multiple dependency of claims 31 and 33 have been corrected.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the objection to claims 31 and 33.

V. Response to Claim Rejections Under 35 U.S.C. § 112

Claims 6, 28 and 29 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner asserts that the use of the term “negative-type” in claim 6, and “predetermined volume” in claims 28 and 29 is considered vague and indefinite.

Applicants respectfully submit that the term “negative-type” as relating to a photoresist composition is well known in the art, and a person of ordinary skill in the art would be aware of the particular subject matter being claimed in the present invention.

Additionally, claims 28 and 29 are amended to delete the word “predetermined”.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the § 112 rejections of claims 6 and 28-29.

VI. Response to Claim Rejection Under 35 U.S.C. § 102

Claims 1-11, 20 and 24-25 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent 2002-285335 A.

Applicants respectfully traverse.

Initially, without acquiescing to the merits, Applicants respectfully submit that claims 1-2 were cancelled in the Preliminary Amendment of January 17, 2006.

Present claim 3 recites a method for fixing a metal particle. The method claimed includes forming a resist film containing a resin component and a metal-containing particle on a substrate, and removing the resin component from the resist film and fixing a metal particle on the substrate. The metal particle includes a metallic element that contains a metal-containing particle, and the metal-containing particle is a metallic compound. The method for fixing a metal particle further includes heating the resist film to a temperature of 300°C or higher and 1,200°C or lower in a vacuum. The heating is performed after forming the resist film and before removing the resin component and fixing the metal particle.

In contrast, at paragraphs [0026] and [0035], JP ‘335 discloses that heating of the resist coated substrate is carried out in an atmosphere of oxidizing gases, such as an inert gas, oxygen or air, or in an atmosphere of reducing gases, such as hydrogen. Therefore, the process of JP ‘335 is not carried out in a vacuum.

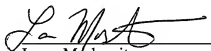
In view of the above, reconsideration and withdrawal of the § 102 rejection of claims 3-11, 20 and 24-25, is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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